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7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10

11 THE TRAVELERS INDEMNITY
12 COMPANY OF CONNECTICUT,
a Connecticut corporation,

13 Plaintiff,

14 v.

15 MUHLHAUSER STEEL, INC.,
a California corporation;
16 ANGELES CONTRACTOR, INC.,
a California corporation; and
17 DOES 1 through 10, inclusive,

18 Defendants.
19
20

Case No.: 8:24-cv-01913-KES

**DEFENDANT ANGELES
CONTRACTOR, INC.'S JOINDER
IN DEFENDANT MUHLHAUSER
STEEL, INC.'S MOTION TO STAY**

Date: February 27, 2025

Time: 10:00 a.m.

Dept.: Courtroom 6D

21 Defendant ANGELES CONTRACTOR, INC. ("ACI") joins in Defendant
22 MUHLHAUSER STEEL, INC.'s ("MUHLHAUSER") motion to stay this action
23 pending resolution of the underlying action. [ROA No. 29] MUHLHAUSER moves
24 to stay this action on the basis that it should not be required to fight a two-front war –
25 defending the underlying action while at the same time defending an action against it
26 by its own insurance carrier – and that it would be unduly prejudicial to
27 MUHLHAUSER. ACI is a nominal defendant in this case, named in only one of three
28 causes of action, because it seeks damages against MUHLHAUSER in the underlying

1 action which potentially may be covered by the TRAVELERS policy.

2 ACI agrees that the case should be stayed as to MUHLHAUSER and, if that is
3 the case, there is no basis to continue the coverage action as to ACI. Accordingly,
4 MUHLHAUSER's motion should be granted and the entire case stayed pending
5 resolution of the underlying action.

6 **I.**

7 **ACI JOINS IN MUHLHAUSER'S MOTION TO STAY TO AVOID**
8 **DUPLICATIVE MOTIONS ON SUBSTANTIALLY THE SAME GROUNDS**

9 ACI's answer to TRAVELERS' complaint is being filed concurrently with this
10 joinder. ACI has been advised that MUHLHAUSER is also answering the complaint
11 and filing a motion to stay the action, which is set to be heard on February 27, 2025.
12 [ROA No. 29] TRAVELERS' complaint seeks to establish that it has no duty to
13 defend or indemnify its insured, MUHLHAUSER, and seeks reimbursement of
14 defense fees and costs paid on behalf of MUHLHAUSER. ACI is named as a
15 defendant by TRAVELERS on one cause of action, declaratory relief on the duty to
16 indemnify, because ACI seeks damages from MUHLHAUSER in the underlying
17 action. If, as MUHLHAUSER contends, the TRAVELERS action should be stayed
18 pending resolution of the underlying action, then it necessarily has to be stayed as to
19 all defendants. Because MUHLHAUSER's motion fully addresses the issue, and in
20 an effort to avoid burdening this Court with its own duplicative motion, ACI hereby
21 joins MUHLHAUSER's motion in lieu of bringing a separate motion to stay.

22 **II.**

23 **MUHLHAUSER'S MOTION SHOULD BE GRANTED**

24 The factual and legal basis for MUHLHAUSER's motion to stay is set forth in
25 its motion and will not be repeated here. Suffice it to say that ACI would be unduly
26 prejudiced by having to spend its time and resources pursuing relief in the underlying
27 action, and defending cross-claims, while at the same time having to defend a
28 coverage action in which it is, in reality, a nominal defendant. Indeed, it would be

1 especially unfair to ACI to require it to spend its time and resources in defending this
2 action when it has been named as a defendant solely because it seeks damages from
3 MUHLHAUSER in the underlying action.

4 **III.**

5 **CONCLUSION**

6 Based upon the foregoing, ACI respectfully joins in Defendant
7 MUHLHAUSER's motion to stay this action pending resolution of the underlying
8 action.

9
10 Dated: January 22, 2025

SCHULZ BRICK & ROGASKI

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12 By: /s/ Jon S. Brick

13 Peter J. Schulz, Esq.

14 Jon S. Brick, Esq.

15 Attorneys for Defendant

16 ANGELES CONTRACTOR, INC.
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